

**Article 9. Use and Management of Containers****§66265.170. Applicability.**

The regulations in this article apply to owners and operators of all hazardous waste facilities that transfer or store containers of hazardous waste, except as section 66265.1 provides otherwise.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 265.170.

**HISTORY**

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

**§66265.171. Condition of Containers.**

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects), or if it begins to leak, the owner or operator shall transfer the hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this chapter.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 265.171.

**HISTORY**

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

**§66265.172. Compatibility of Waste with Containers.**

The owner or operator shall use a container made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be transferred or stored, so that the ability of the container to contain the waste is not impaired.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 265.172.

**HISTORY**

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

**§66265.173. Management of Containers.**

(a) A container holding hazardous waste shall always be closed during transfer and storage, except when it is necessary to add or remove waste.

(b) A container holding hazardous waste shall not be opened, handled, transferred or stored in a manner which may rupture the container or cause it to leak. Re-use of containers for transportation shall comply with the requirements of the U.S. Department of Transportation regulations, including those set forth in 49 CFR section 173.28.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 265.173.

**HISTORY**

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

**§66265.174. Inspections.**

The owner or operator shall inspect areas used for container storage or transfer, at least weekly, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 265.174.

**HISTORY**

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

**§66265.176. Special Requirements for Ignitable or Reactive Waste.**

Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 265.176.

**HISTORY**

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

**§66265.177. Special Requirements for Incompatible Wastes.**

(a) Incompatible wastes, or incompatible wastes and materials (see Appendix V for examples) shall not be

placed in the same container, unless section 66265.17(b) is complied with.

(b) Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material (see Appendix V for examples).

(c) A container holding a hazardous waste that is incompatible with any waste or other materials transferred or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 265.177.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

**§ 66265.178. Air Emission Standards.**

The owner or operator shall manage all hazardous waste placed in a container in accordance with the applicable requirements of articles 27, 28 and 28.5 of this chapter.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58102, Health and Safety Code. Reference: Sections 25150, 25159, and 25159.5, Health and Safety Code; and 40 CFR Section 265.178.

HISTORY

1. Change without regulatory effect adding new section filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).
2. Editorial correction of Note (Register 2004, No. 27).